

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-00002-01-CR-W-DGK
	)	
BRIAN D. COUCH,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On January 8, 2019, the Grand Jury returned a one-count Indictment charging that on or about December 9, 2018, the Defendant, Brian D. Couch, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, ammunition.

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Robert M. Smith, there will be a second chair but unknown who at this time  
Case Agent: Detective Steve Cook, Independence Police Department  
Defense: Stephen C. Moss

**OUTSTANDING MOTIONS:** No outstanding motions.

**TRIAL WITNESSES:**

Government: 3-4 with stipulations; 3-4 without stipulations  
Defendant: 1 witness, including the Defendant

**TRIAL EXHIBITS:**

Government: approximately 15-20 exhibits  
Defendant: less than 10 exhibits

**DEFENSES:** General denial

**POSSIBLE DISPOSITION:**

( ) Definitely for trial; (X) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 1 ½ days total**

Government's case including jury selection: 1 day(s)

Defendant: ½ day(s)

**STIPULATIONS:** Possible stipulation as to felon status.

**UNUSUAL QUESTIONS OF LAW:** Defense counsel still reviewing the matter as it relates to the recent Supreme Court case in Rehaif v. United States.

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: None filed. **Updated list(s) due on or before August 6, 2019.**

Proposed Witness list filed July 29, 2019

Defendant: None filed. **Due on or before August 6, 2019.**

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Due on or before August 14, 2019.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine: Due on or before August 14, 2019.**

**TRIAL SETTING:** Criminal jury trial docket set for August 19, 2019.

**Please note:** Both counsel are available both weeks.

**IT IS SO ORDERED**

*/s/ Lajuana M. Counts*

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LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE